

3-24-20

PETITION FOR WRIT OF HABEAS CORPUS: 28 USC §2254 (Rev. 9/10)  
ADOPTED BY ALL FEDERAL COURTS IN TEXAS

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
MAR 26 2020  
CLERK, U.S. DISTRICT COURT  
By AL Deputy

PETITION FOR A WRIT OF HABEAS CORPUS BY  
A PERSON IN STATE CUSTODY

CRAIG DOUGHTY  
PETITIONER  
(Full name of Petitioner)

NEAL UNIT, POTTER COUNTY, TX.  
CURRENT PLACE OF CONFINEMENT

vs.

TDCJ-ID 02203962  
PRISONER ID NUMBER

LORE DAVIS - Director, T.D.CJ-ID  
RESPONDENT  
(Name of TDCJ Director, Warden, Jailor, or  
authorized person having custody of Petitioner)

**2-20CV-077-Z**  
CASE NUMBER  
(Supplied by the District Court Clerk)

INSTRUCTIONS - READ CAREFULLY

1. The petition must be legibly handwritten or typewritten and signed and dated by the petitioner, under penalty of perjury. Any false statement of an important fact may lead to prosecution for perjury. Answer all questions in the proper space on the form.
2. Additional pages are not allowed except in answer to questions 11 and 20. Do not cite legal authorities. Any additional arguments or facts you want to present must be in a separate memorandum. The petition, including attachments, may not exceed 20 pages.
3. Receipt of the \$5.00 filing fee or a grant of permission to proceed *in forma pauperis* must occur before the court will consider your petition.
4. If you do not have the necessary filing fee, you may ask permission to proceed *in forma pauperis*. To proceed *in forma pauperis*, (1) you must sign the declaration provided with this petition to show that you cannot prepay the fees and costs, and (2) if you are confined in TDCJ-CID, you must send in a certified *In Forma Pauperis* Data Sheet form from the institution in which you are confined. If you are in an institution other than TDCJ-CID, you must send in a certificate completed by an authorized officer at your institution certifying the amount of money you have on deposit at that institution. If you have access or have had access to enough funds to pay the filing fee, then you must pay the filing fee.

5. Only judgments entered by one court may be challenged in a single petition. A separate petition must be filed to challenge a judgment entered by a different state court.
6. Include all of your grounds for relief and all of the facts that support each ground for relief in this petition.
7. Mail the completed petition and one copy to the U. S. District Clerk. The "Venue List" in your unit law library lists all of the federal courts in Texas, their divisions, and the addresses for the clerk's offices. The proper court will be the federal court in the division and district in which you were convicted (for example, a Dallas County conviction is in the Northern District of Texas, Dallas Division) or where you are now in custody (for example, the Huntsville units are in the Southern District of Texas, Houston Division).
8. Failure to notify the court of your change of address could result in the dismissal of your case.

### PETITION

**What are you challenging?** (Check all that apply)

- ☒ A judgment of conviction or sentence, (Answer Questions 1-4, 5-12 & 20-25)  
 probation or deferred-adjudication probation.
- ☐ A parole revocation proceeding. (Answer Questions 1-4, 13-14 & 20-25)
- ☐ A disciplinary proceeding. (Answer Questions 1-4, 15-19 & 20-25)
- ☐ Other: \_\_\_\_\_ (Answer Questions 1-4, 10-11 & 20-25)

**All petitioners must answer questions 1-4:**

**Note:** In answering questions 1-4, you must give information about the conviction for the sentence you are presently serving, even if you are challenging a prison disciplinary action. (Note: If you are challenging a prison disciplinary action, do not answer questions 1-4 with information about the disciplinary case. Answer these questions about the conviction for the sentence you are presently serving.) Failure to follow this instruction may result in a delay in processing your case.

1. Name and location of the court (district and county) that entered the judgment of conviction and sentence that you are presently serving or that is under attack: THE 412<sup>th</sup> DISTRICT  
COURT OF BRAZORIA COUNTY, TEXAS  
111 E LOCUST, Angleton, TX. 77515
2. Date of judgment of conviction: JUNE 4 2018
3. Length of sentence: 25 Years. X3 Running Concurrent.
4. Identify the docket numbers (if known) and all crimes of which you were convicted that you wish to challenge in this habeas action: 2 Counts Aggravated Sexual assault of  
a Child. 1 Count Sexual assault of a Child. ALLEGED

**Judgment of Conviction or Sentence, Probation or Deferred-Adjudication Probation:**

5. What was your plea? (Check one) ☐ Not Guilty ☒ Guilty ☐ Nolo Contendere
6. Kind of trial: (Check one) ☐ Jury ☐ Judge Only
7. Did you testify at trial? ☐ Yes ☐ No
8. Did you appeal the judgment of conviction? ☐ Yes ☒ No
9. If you did appeal, in what appellate court did you file your direct appeal? N/A

N/A Cause Number (if known): N/A

What was the result of your direct appeal (affirmed, modified or reversed)? N/A

What was the date of that decision? \_\_\_\_\_

If you filed a petition for discretionary review after the decision of the court of appeals, answer the following:

Grounds raised: N/A

Result: N/A

Date of result: N/A Cause Number (if known): \_\_\_\_\_

If you filed a petition for a *writ of certiorari* with the United States Supreme Court, answer the following:

Result: N/A

Date of result: N/A

10. Other than a direct appeal, have you filed any petitions, applications or motions from this judgment in any court, state or federal? This includes any state applications for a writ of habeas corpus that you may have filed. ☒ Yes ☐ No

11. If your answer to 10 is "Yes," give the following information:

Name of court: Court of Criminal Appeals of Texas.

Nature of proceeding: Writ of habeas Corpus 1107

Cause number (if known): 78393-CR-A

Date (month, day and year) you filed the petition, application or motion as shown by a file-stamped date from the particular court: \_\_\_\_\_

Grounds raised: Denial of Constitutional right to Self Represent and Manage my own defense, forcing an attorney upon me.

Date of final decision: 3-11-2020

What was the decision? Denied without written order

Name of court that issued the final decision: Texas Court of Criminal appeals.

As to any second petition, application or motion, give the same information:

Name of court: N/A

Nature of proceeding: N/A

Cause number (if known): N/A

Date (month, day and year) you filed the petition, application or motion as shown by a file-stamped date from the particular court:

N/A

Grounds raised: N/A

Date of final decision: N/A

What was the decision? N/A

Name of court that issued the final decision: \_\_\_\_\_

*If you have filed more than two petitions, applications or motions, please attach an additional sheet of paper and give the same information about each petition, application or motion.*

12. Do you have any future sentence to serve after you finish serving the sentence you are attacking in this petition? ☐ Yes ☒ No

- (a) If your answer is "Yes," give the name and location of the court that imposed the sentence to be served in the future: \_\_\_\_\_

N/A

- (b) Give the date and length of the sentence to be served in the future: \_\_\_\_\_

N/A

- (c) Have you filed, or do you intend to file, any petition attacking the judgment for the sentence you must serve in the future? ☐ Yes ☒ No

**Parole Revocation:**

13. Date and location of your parole revocation: N/A
14. Have you filed any petitions, applications or motions in any state or federal court challenging your parole revocation? ☐ Yes ☐ No N/A

If your answer is "Yes," complete Question 11 above regarding your parole revocation.

**Disciplinary Proceedings:**

15. For your original conviction, was there a finding that you used or exhibited a deadly weapon? ☐ Yes ☐ No N/A

16. Are you eligible for release on mandatory supervision? ☐ Yes ☐ No N/A

17. Name and location of the TDCJ Unit where you were found guilty of the disciplinary violation: N/A

Disciplinary case number: N/A

What was the nature of the disciplinary charge against you? N/A

18. Date you were found guilty of the disciplinary violation: N/A

Did you lose previously earned good-time days? ☐ Yes ☐ No N/A

If your answer is "Yes," provide the exact number of previously earned good-time days that were forfeited by the disciplinary hearing officer as a result of your disciplinary hearing: N/A

Identify all other punishment imposed, including the length of any punishment, if applicable, and any changes in custody status:

N/A

N/A

N/A

19. Did you appeal the finding of guilty through the prison or TDCJ grievance procedure? ☐ Yes ☐ No N/A

If your answer to Question 19 is "Yes," answer the following:

Step 1 Result: N/A

Date of Result: N/A

Step 2 Result: N/A

Date of Result: N/A

**All petitioners must answer the remaining questions:**

20. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Summarize briefly the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting them.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

- A. GROUND ONE: Denial to let accused Self Represent  
forcing Counsel upon him.

Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

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- B. GROUND TWO: N/A

Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

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C. GROUND THREE: N/A

Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

D. GROUND FOUR: N/A

Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

21. Relief sought in this petition: All relief available by law.

I the Petitioner seek to have the opportunity to  
fairly litigate my Claims of innocents. A new  
Trial.

22. Have you previously filed a federal habeas petition attacking the same conviction, parole revocation or disciplinary proceeding that you are attacking in this petition? ☐ Yes ☐ No  
If your answer is "Yes," give the date on which each petition was filed and the federal court in which it was filed. Also state whether the petition was (a) dismissed without prejudice, (b) dismissed with prejudice, or (c) denied.

N/A

N/A

If you previously filed a federal petition attacking the same conviction and such petition was denied or dismissed with prejudice, did you receive permission from the Fifth Circuit to file a second petition, as required by 28 U.S.C. § 2244(b)(3) and (4)? ☐ Yes ☐ No

23. Are any of the grounds listed in question 20 above presented for the first time in this petition?  
☐ Yes ☒ No

If your answer is "Yes," state briefly what grounds are presented for the first time and give your reasons for not presenting them to any other court, either state or federal.

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24. Do you have any petition or appeal now pending (filed and not yet decided) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☒ No

If "Yes," identify each type of proceeding that is pending (i.e., direct appeal, art. 11.07 application, or federal habeas petition), the court in which each proceeding is pending, and the date each proceeding was filed. N/A

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25. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

- (a) At preliminary hearing: Tom Stickler. State Bar 00794988
- (b) At arraignment and plea: Same
- (c) At trial: N/A
- (d) At sentencing: Same
- (e) On appeal: N/A
- (f) In any post-conviction proceeding: N/A



(g) On appeal from any ruling against you in a post-conviction proceeding: \_\_\_\_\_

**Timeliness of Petition:**

26. If your judgment of conviction, parole revocation or disciplinary proceeding became final over one year ago, you must explain why the one-year statute of limitations contained in 28 U.S.C. § 2244(d) does not bar your petition.<sup>1</sup>

Date of Judgment. 6-4-2018

Date sent 11.07 writ of habeas Corpus Via Prison mail System 5-15, 2019

Date, received denial. 11.07 Via Prison mail System 3-17-2020

Date Sent Writ 2254 Via Prison mail System. 3-24-2020

Proof of this is all stapled together EXHIBIT B.

<sup>1</sup> The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA"), as contained in 28 U.S.C. § 2244(d), provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of:
  - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
  - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such State action;
  - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
  - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.
- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Wherefore, petitioner prays that the Court grant him the relief to which he may be entitled.

\_\_\_\_\_  
Signature of Attorney (if any)  
\_\_\_\_\_

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for a Writ of Habeas Corpus was placed in the prison mailing system on

March 24 2020 (month, day, year).

Executed (signed) on March 24 2020 (date).

Craig Dougherty  
Signature of Petitioner (required)

Petitioner's current address: \_\_\_\_\_

Craig Dougherty # 2203962

NEAL UNIT

GOSS SPUR 591

AMARILLO, TEXAS, 79107

3-24-20

# ARGUMENTS

## ARGUMENT

1

- THE STATE'S ARGUMENT THAT THE APPLICANT DID NOT CLEARLY AND UNEQUIVOCALLY ASSERT HIS RIGHT TO SELF REPRESENTATION FAILS IN THE FACT OF LAW AND IS DIRECTLY CONTRADICTED BY THE RECORD. THE COURT SPECIFICALLY RECOGNIZED THE APPLICANT'S MOTION TO REMOVE APPOINTED COUNSEL AS A REQUEST TO PROCEED PRO-SE AND DENIED THE MOTION ON THAT BASIS, THUS FORCLOSING ANY ARGUMENT. THE REQUEST WAS NOT CLEARLY AND UNEQUIVOCALLY MADE SPECIFICALLY. THE COURT STATED IF IT GRANTED THE MOTION APPLICANT WOULD HAVE TO BE HIS OWN LAWYER FOR THE ENTIRE CASE DEALING WITH OBJECTIONS, INTRODUCTIONS OF EVIDENCE AND THINGS OF THAT NATURE. APPLICANTS REQUEST FOR STANDBY COUNSEL CAME AFTER THE FACT AND AS A ALTERNATIVE OPTION IF THE COURT WOULD NOT REMOVE COUNSEL. THE COURT IN THIS CASE ADDRESSED THE MOTION TO REMOVE COUNSEL AS A REQUEST TO PROCEED PRO-SE AND DENIED THE MOTION BECAUSE APPLICANT WOULD BE DEALING WITH OBJECTIONS, INTRODUCTION OF EVIDENCE AND QUESTIONING WITNESSES" ALL OF WHICH WOULD BE DETRIMENTAL NOT TO HAVE COUNSEL AND IT WOULD NOT BE GOOD FOR YOUR CASE. THE COURTS RECOGNITION OF APPLICANTS REQUEST TO PROCEED PRO-SE and SUBSEQUENT DENIAL WAS AN
- UNREASONABLE APPLICATION OF CLEARLY ESTABLISHED FEDERAL LAW. AS DETERMINED BY THE U.S. SUPREME COURT IN FARRETTA V CAL: 422 U.S. 806 (1975)

THE COURT IN FARETTA, MADE IT CLEAR, A COURT SHOULD NOT ASSESS HOW WELL OR POORLY A DEFENDENT MAY CONDUCT HIS OWN DEFENSE AND HIS LEGAL KNOWING EXERCISE OF THE RIGHT TO DEFEND HIMSELF. 10 AT 422 U.S. 836 ONCE A COURT RECOGNIZES A DEFENDANCE REQUEST TO PROCEED PRO SE THE DENIAL OF THE RIGHT CONSTITUTES A STRUCTURAL ERROR. THE RIGHT IS EITHER RESPECTED OR DENIED. U.S. GONZALEZ - LOPEZ 548 U.S.

140, 148, 49 (2006) A STATE MAY EVEN OVER OBJECTION BY THE ACCUSED APPOINT A STANDBY COUNSEL TO AIDE THE ACCUSED IF AND WHEN THE ACCUSED REQUEST, HELP

BATCHOR V CAIN 632 F.3d 400 (5th CIR (2012))

CITING N. 46, 95 Sct 2525 THE COURT AND STATE POSITION THAT APPLICANT COULD NOT HAVE CO-COUNSEL (AKA) STAND-BY-COUNSEL IS CONTRARY TO STATUTE AND LAW. TEXAS CODE OF CRIMINAL PROCEDURE ARTICLE 1.05 RIGHTS OF ACCUSED SPECIFICALLY STATES. HE SHALL HAVE THE RIGHT OF BEING HEARD BY HIMSELF, OR COUNSEL OR BOTH SEE ALSO

BATCHEWR V CAIN 682 F.3d 400. 10 AT 406. THE COURT IN THIS CASE SPECIFICALLY RECOGNIZED THE REQUEST AS A DESIRE TO PROCEED PRO SE THUS THE COURT IN ITS DISCRETION CONSIDERED THE REQUEST AS A CLEAR AND UNEQUIVOCAL ASSERTION OF THE RIGHT, WHILE IT'S TRUE APPLICANT DID NOT USE THE TERMINOLOGY PRO-SE. THE COURT RECOGNIZED HIS CONDUCT IN REQUESTING

REMOVAL OF APPOINTED COUNSEL AND HIS  
 ARTICULATIONS TO QUESTION HIS OWN WITNESSES. AS  
 A CLEAR AND UNAMBIGUOUS DESIRE TO MANAGE HIS  
 OWN DEFENSE AS AUTHORIZED BY FARETTA AND  
 PROCEEDS TO WARN APPLICANT OF THE DANGERS OF  
 PRO SE DEFENSE, AGAIN SUPPORTING THE COURT  
 THE COURT CONSIDERED THE REQUEST AS A DESIRE  
 TO PROCEED PRO SE AS THE COURT IN FARETTA

### CONCLUSION.

I MADE IT VERY CLEAR TO THE COURT  
 THAT I WANTED THIS COUNSEL REMOVED  
 ALL WITHIN A REASONABLE AMOUNT OF TIME, YET  
 THE COURT FORCED COUNSEL UPON ME.

FORCING COUNSEL UPON THE ACCUSED IS WHAT  
 FARETTA V CAL IS ABOUT, NOT RATHER THE  
 ACCUSED USES THE WORD PRO SE OR NOT.

DATE MARCH 24 2020 RESPECTFULLY SUBMITTED  
 Craig Doughty

## UNSWORN DECLARATION

I CRAIG DOUGHTY BEING PRESENTLY  
INCARCERATED IN THE TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE AT THE NEAL UNIT  
POTTER COUNTY, TEXAS DECLARE UNDER  
PENALTY OF PERJURY THAT ACCORDING TO MY  
BELIEF, THE FACTS STATED ARE TRUE AND  
CORRECT SIGNED ON THIS 24 DAY OF  
MARCH 2020

Craig Doughty

3-24-20

MOTION TO REMOVE COUNSEL

Pro - SE



RECEIVED  
MAY 17 2018

THE STATE OF TEXAS VS CRAIG DOUGHTY IN THE 41<sup>st</sup> JUDICIAL DISTRICT COURT OF BRAZORIA COUNTY TEXAS.

FILED  
at 4:30 o'clock P. M.

MAY 23. 2018

MOTION TO WITHDRAW COUNSEL

*Bonnie Bruch*  
Clerk of District Court Brazoria Co., Texas  
BY \_\_\_\_\_ DEPUTY

TO THE HONORABLE JUDGE OF SAID COURT

CRAIG DOUGHTY, THE DEFENDANT IN SAID CASE, MOVES THIS COURT TO ENTER AN ORDER TO WITHDRAW COUNSEL

I

TOM STICKLER, MY ATTORNEY IS REFUSING TO GET READY FOR TRIAL. HE HAS STATED THAT HE HAS NOT GONE OVER ALL THE EVIDENCE IN MY CASE, INCLUDING C.P.S. FILES AND REFUSES TO DO SO. I ALSO HAVE OTHER ISSUES WITH THIS ATTORNEY, THAT HAVE TO DO WITH THE HEAR-SAY RULE, WHICH I WILL ADDRESS IN PERSON

II

I CRAIG DOUGHTY ASK THIS COURT TO GRANT THIS MOTION TO WITHDRAW COUNSEL ON THIS 5<sup>th</sup> DAY OF MAY 2018 TO WITHDRAW TOM STICKLER state bar #02794988 AS COUNSEL.

I DO DECLARE UNDER PENALTY OF PERJURY THAT THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY (PROSE) ABILITY ON THIS 5<sup>th</sup> DAY OF MAY 2018

3-24-20

Court Reporter's Record.

**REPORTER'S RECORD**

VOLUME 1 OF 1 VOLUMES

TRIAL COURT CAUSE NO. 78393

THE STATE OF TEXAS

\* IN THE DISTRICT COURT OF

\*

VS.

\* BRAZORIA COUNTY, TEXAS

\*

CRAIG DOUGHTY

\* 412TH JUDICIAL DISTRICT

\*\*\*\*\*

**PRETRIAL**

\*\*\*\*\*

On the 24th day of May, 2018, the following  
proceedings came on to be heard in the above-entitled and  
numbered cause before the Honorable W. Edwin Denman, Judge  
presiding, held in Angleton, Brazoria County, Texas.

Proceedings reported by Machine Shorthand Method.

JILL FRIEDRICHS

Official Court Reporter

412th Judicial District Court

## A P P E A R A N C E S

**MR. DAVID TAMEZ**

SBOT NO. 24079433

**MR. TRAVIS TOWNSEND**

SBOT NO. 24048843

111 East Locust, Suite 408A

Angleton, Texas 77515

Phone: 979-864-1230

ATTORNEYS FOR THE STATE OF TEXAS

AND

**MR. TOM STICKLER**

SBOT NO. 00794988

235 W. Sealy

Alvin, Texas 77511

Phone: 281-331-5288

ATTORNEY FOR THE DEFENDANT

JILL FRIEDRICHS

Official Court Reporter

412th Judicial District Court

## I N D E X

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JILL FRIEDRICHS

Official Court Reporter

412th Judicial District Court

1 MAY 24, 2018

2 THE COURT: We are on the record in Cause number  
3 78393-CR, the State of Texas versus Craig Doughty. This case  
4 is set for trial on June 4, 2018. It was not on the  
5 announcement docket for today because it has a June 4th trial  
6 date. But Mr. Doughty is present, Mr. Stickler is present as  
7 counsel for Mr. Dowdy, as well as Mr. Tamez for the State.

8 Mr. Doughty has sent some communications to the  
9 Court which have been forwarded to counsel. One is a motion to  
10 *The Court received this motion weeks before trial date*  
withdraw counsel which I take it you're requesting that

11 Mr. Stickler than removed as your counsel. Is that correct?

12 THE DEFENDANT: If that's possible. If not, I  
13 would like to question my own witnesses. He said that he had  
14 no chance in questioning the witnesses. *This Attorney told*  
15 *me he would not question the main witnesses. So I was*  
16 *taking it upon MY Self to do so, or try to.*  
could see them. He said probably not. Every time I talk about  
17 them he forbids me to even talk about.

18 Both the man witnesses against me have recanted.  
19 Every time I tell him about it and I show him where they make  
20 mistakes he changes the paperwork and tries to correct their  
21 mistake.

22 THE COURT: Well, the witnesses, I'm sure, will  
23 be here that have recanted and they will testify during the  
24 trial.

25 THE DEFENDANT: That's another thing. My first

1 lawyer -- David Tamez was trying to make the declarant, which  
 2 is April Doughty, trying to make her unavailable. And then I  
 3 had a misunderstanding with my lawyer because he wanted to  
 4 subpoena her. I didn't know nothing about no hearsay law but  
 5 he was trying to make her -- she states that, you know, she's  
 6 going to be here and all that. But he's trying to make her  
 7 unavailable.

8 MR. STICKLER: She's going to be here and  
 9 testify.

10 THE DEFENDANT: This time this man here told  
 11 me --

12 MR. STICKLER: I've never. I've never said that.

13 THE COURT: Okay. I think there are subpoenas  
 14 out for that witness.

15 THE DEFENDANT: There is now since they know that  
 16 I'm insisting on having her here.

17 THE COURT: Okay. Well, subpoenas are out for  
 18 that witness.

19 THE DEFENDANT: I don't plan on going onto the  
 20 stand for the record. I don't plan on saying anything good or  
~~anything bad about my character.~~  
 21 bad about my character. But I would like to question my own  
 22 witnesses without bringing 20-year-old -- *Cases*

23 THE COURT: Mr. Doughty, here is the thing.  
*at this Point, I never asked for Joint - Counsel*  
 24 Texas law as I understand it doesn't permit for joint counsel.  
*all...*  
 25 The only thing would be you would have to be your entire lawyer

1 for the entire case, dealing with objections, introduction of  
 2 Here the Judge is Questioning my ability to Represent myself.  
evidence and things of that nature.

3 THE DEFENDANT: I couldn't have him as  
 4 co-counsel? The Judge brought up Co-Counsel - Not me.  
This was Just my Responce to what he Said.

5 THE COURT: As I understand the law, there is not  
 6 co-counsel. And so in case like this --

7 THE DEFENDANT: Yes, sir.

8 THE COURT: It's very much to your detriment not  
 9 to have counsel. Here, the Judge recognizes that I want to  
 10 be MY OWN Counsel.  
 Mr. Stickler has tried many cases before me.

11 He's tried many other cases in this county. He has an  
 12 excellent reputation for a very, very, very good defense  
 13 lawyer. So I am not going to allow you to question your own  
 14 witnesses because I think that would be extremely detrimental  
 15 to your case. Here the Judge Clearly is Refusing to let  
me Self Represent.

16 As far as for him to withdraw as counsel, you  
 17 would be going on your own and that would not be good for your  
 18 Here the Judge is forcing an attorney upon me.  
 case. So I'm not going to remove him at this time. The case  
 19 is set for trial. He's been preparing to go to trial. I know  
 20 the witnesses have been subpoenaed and that everything has been  
 21 said.

22 I'm not going to be present. There is another  
 23 judge, a very experienced judge, who has got probably more  
 24 experience than I do, we've got to try and hear this case. So  
 25 this case will go forward on June 4th.



1 Now I need to make sure -- because I always do  
2 this at the announcement docket. I want to make sure -- has  
3 any plea bargain been made by the State?

4 MR. TAMEZ: Yes, Your Honor.

5 THE DEFENDANT: What was that?

6 THE COURT: Okay. Wait a second. Mr. Doughty.

7 THE DEFENDANT: Sorry, sir.

8 THE COURT: I will -- you address your  
9 communications to me.

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Just like the lawyers do. And then  
12 the lawyers talk to me. They don't talk to each other.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Okay. So it's clear, what is the  
15 last plea bargain that was made?

16 MR. TAMEZ: 20 years TDC.

17 THE COURT: 20 years TDC. Okay.

18 MR. STICKLER: That was conveyed to you in  
19 writing.

20 THE DEFENDANT: I heard that.

21 THE COURT: All right. Now we are here on  
22 announcement day. You've been here enough on hearings to know  
23 my policy is once we get past today if that's rejected then  
24 there will be a trial. So do you need the time to decide  
25 whether to accept or reject that offer, or are you ready to

1 make your decision right now?

2 MR. STICKLER: And I do want to put something  
3 else on the record. I did convey a counteroffer. That  
4 counteroffer was given to the State in writing, rejected in  
5 writing, and copies of that were given to Mr. Doughty.

6 THE COURT: Okay. So --

7 MR. STICKLER: But the 20-year offer is still  
8 open through this morning.

9 THE COURT: All right. Now do you need a little  
10 time to think about it?

11 THE DEFENDANT: No, sir.

12 THE COURT: Okay. What's your decision?

13 THE DEFENDANT: I don't want to take that offer.

14 There is one other thing I want to address is  
15 there was supposed to be a meeting outside the court, outside  
16 the presence of a jury, to see what evidence was allowed and  
17 what witnesses were allowed. I haven't heard anything about  
18 that.

19 THE COURT: That will take place --  
*This meeting never took place.*

20 MR. STICKLER: Okay. So that's going to be on  
21 June 4th and I have been in the jail, met with him, discussed  
22 all this stuff that's kind of been spurred, probably some of  
23 this hearsay motion stuff and extraneous motions that he filed  
24 pro se. I've explained that there were certain outcry rules of  
25 what the alleged victim said to other people that they may be

1 able to come in and repeat.

2 Now I have filed motions to severance. I've  
3 filed motions to suppress those statements. Those are all  
4 going to be taken up on the 4th. This gets to be a very  
5 complex issue because there is multiple offenses over a  
6 five-year period and the victim's age, she turned 14 during the  
7 middle of those. So we get sometimes where these outcry  
8 statements are past the age of 14. Sometimes they are prior to  
9 the age of 14.

10 What complicates the issue more is I anticipate  
11 the State is going to bring in an expert to testify to her  
12 mental disability and that expert is going to testify that she  
13 has about a 7-years-old's mental disability, which that may  
14 make those -- the last time where she's above 14 -- it's a very  
15 complex issue.

16 I've explained all that. It's difficult for  
17 anybody to understand. It's been explained.

18 Also the State provided and has continued to keep  
19 adding to multiple extraneous offenses. All of those have been  
20 provided to Mr. Doughty. And again, this probably spurred some  
21 of these pro se motions because while I tried to explain that  
22 Here it shows that I don't trust this attorney. Filing  
23 typically a lot of these extraneous are not admissible until  
24 my own motions. I know at this point this attorney is  
25 the punishment phase of a trial, in these types of charges the  
settling me up.  
extraneous of the same or similar acts with multiple  
different victims may become admissible even during the

JILL FRIEDRICHS

Official Court Reporter

412th Judicial District Court

I TOLD THIS ATTORNEY MULTIPLE TIMES THAT I DID NOT  
WANT HIM ON MY CASE HIS ANSWER TO THIS WAS ALWAYS  
YOU DON'T HAVE A CHOICE,

Line 25 SHOWS THAT I FILED MANY PRO-SE MOTIONS THAT ALL  
SAY PRO-SE, THE JUDGE AND THIS ATTORNEY KNOW THIS

1 guilt/innocence phase of a trial. And while he may disagree  
2 with that being fair, I can't help that's the law and some of  
3 those pro se motions complain of it.

*I was already trying to be my own defence.*

4 So I did explain that those people would have to  
5 come to court and testify. It's my understanding the State has  
6 not only these people under subpoena. They have airplane  
7 tickets purchased, hotel reservations made and they will be  
8 here.

9 THE COURT: Okay.

10 MR. STICKER: And then the last thing I do want  
11 to say is I am not aware of -- and I have hired an  
12 investigator, diligently working this case, and I am unaware of  
13 any time that Esther, the victim, alleged victim, has recanted.

*This person did recant. Attorney knows this.*

14 THE COURT: All right. Mr. Doughty, after  
15 hearing what was just said by your counsel, does that change

16 your decision on whether to -- do you want a little time to  
17 think about it? *After hearing this attorney ask about this recant  
I was tempted to take a plea.*

18 THE DEFENDANT: No, sir. I don't change my  
19 decision. *This is what you call being railroaded into taking a plea*  
20 *asking me to take a plea once is enough. this was the*  
21 *3rd time.*  
the jail?

22 MR. STICKLER: So here is what I can do, Judge.  
23 I have taken notes on all of the body cams. There were  
24 multiple body cams. I've taken all the notes, including ones  
25 taken of Mr. Doughty. I've taken those notes but I did not

1 take my computer in. I will do that.

2 Now there is a problem. I have watched a full  
3 Children's Assessment Center video. I don't have a copy of  
4 that video for obvious reasons. However, I have full  
5 meticulous notes. And I have provided him the ability to read  
6 my notes. Or me explaining what's being said. Truthfully, in  
7 terms of the amount of evidence on those things, that will not  
8 be played in court. I can't imagine why the CAC video would be  
9 allowed to be played. But we are arguing over whether that  
10 person is an outcry witness. There is really not a whole lot  
11 on them. And that kind of goes because of the mental age of  
12 the alleged victim.

13 THE COURT: All right.

14 THE DEFENDANT: Your Honor, I believe on the  
15 videos and what the one CD was of one of the witnesses  
16 recanting and I believe on the police DVD she tells one story  
17 and the same night, two hours later, she tells the CPS a  
18 totally different story that they could not match.

19 THE COURT: All right.

20 THE DEFENDANT: That will prove my innocence.

21 THE COURT: I will tell you that if that is the  
22 case I'm sure Mr. Stickler will point that out.

23 THE DEFENDANT: And he's going to come by and  
24 show them to me?

25 THE COURT: No. He won't show you those. He'll

1 show you his notes and he'll show you that information to see  
2 what's available during the trial of the case.

3 THE DEFENDANT: Okay. That's all I can do. I  
4 can agree to that. Yes, sir.

5 THE COURT: Well, I'm not saying you're going to  
6 see it, but you'll see what evidence is admitted. Because it  
7 will have to be admitted in open court.

8 THE DEFENDANT: Okay.

9 THE COURT: All right? Okay. We'll recess then.  
10 Anything else from the State to put on the  
11 record?

12 MR. TAMEZ: State is ready.

13 THE DEFENDANT: Are you going to come by?

14 MR. STICKER: Yes, I will be by.

15 THE COURT: All right. I know Mr. Stickler. I  
16 know he will be by, Mr. Doughty.

17 THE DEFENDANT: Okay. Thank you, sir.

18 THE COURT: Yes, sir. Thank you. You're  
19 excused.

20 **(A short recess was taken.)**

21 MR. STICKER: Just one more thing, too, while  
22 we're here. Because this is another thing I tried to explain  
23 that was a little difficult to understand.

24 The State has provided me with a Brooks notice.

25 MR. TAMEZ: Correct.

1 MR. STICKER: And so Count One punishment range  
2 has changed to 5 to 99. Count Two and Three are changed to 15  
3 *Scare tactics from this attorney. later on trial date*  
4 to 99. And he does have a previous pen trip obviously from  
5 *they cornered me into taking a plea.*  
6 that Brooks notice which makes him ineligible for probation.

7 So I've explained those things to him as well.

8 THE DEFENDANT: I understand that.

9 THE COURT: Okay. You understand that?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: All right. Very good. Thank you  
12 very much. You're excused.

13 (Proceedings concluded.)

14 ~~\_\_\_\_\_~~  
15 ~~\_\_\_\_\_~~  
16 ~~\_\_\_\_\_~~  
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23 ~~\_\_\_\_\_~~  
24 ~~\_\_\_\_\_~~  
25 ~~\_\_\_\_\_~~

1 THE STATE OF TEXAS)  
COUNTY OF BRAZORIA)

2  
3 I, Jill Friedrichs, Official Court Reporter, in and  
4 for the 412th District Court of Brazoria County, State of  
5 Texas, do hereby certify that the above and foregoing contains  
6 a true and correct transcription of all portions of evidence  
and other proceedings requested in writing by counsel for the  
parties to be included in the volume of the Reporter's Record,  
in the above-styled and numbered cause, all of which occurred  
in open court or in chambers and were reported by me.

7 I further certify that this Reporter's Record of the  
8 proceedings truly and correctly reflects the exhibits, if any,  
admitted by the respective parties.

9 I further certify that the total cost for the  
10 preparation of the original and one copy of the Reporter's  
Record is \$ 75.00 and was paid/will be paid by Brazoria County.

11  
12 WITNESS MY OFFICIAL HAND this the 22nd day of August,  
2018.

13  
14  
15 /s/ Jill Friedrichs  
16 JILL FRIEDRICHS, Texas CSR 6866  
17 Expiration Date: 12/31/18  
18 Official Court Reporter  
19 412th District Court  
20 Brazoria County, Texas  
21 111 E. Locust, Room 201  
22 Angleton, Texas 77515  
23 979.864.1917  
24  
25

JILL FRIEDRICHS  
Official Court Reporter  
412th Judicial District Court



TDCJ - INSTITUTIONAL DIVISION  
OFFICIAL LAYIN PASS  
ADMINISTRATIVE

EFFECTIVE DATE: 08/27/2019  
FROM-TO TIME: 08:00-12:00  
START DATE: 08/27/2019 END DATE: 08/27/2019

ADMIT: 02203962 DOUGHTY, CRAIG  
REASON: MAILROOM/LEGAL HOUSE: S-024B

JOB: COOK 3RD 00:00-08:00  
EDUC:

COUNTROOM: CUELLAR

TITLE: CLASSIFICATION

TDCJ - INSTITUTIONAL DIVISION  
OFFICIAL LAYIN PASS  
ADMINISTRATIVE

EFFECTIVE DATE: 09/04/2019  
FROM-TO TIME: 08:00-12:00  
START DATE: 09/04/2019 END DATE: 09/04/2019

ADMIT: 02203962 DOUGHTY, CRAIG  
REASON: MAILROOM/LEGAL HOUSE: S-024B

JOB: COOK 3RD  
EDUC:

00:00-08:00

COUNTROOM: CUELLAR

TITLE: CLASSIFICATION

Courts

Findings of fact



*SH*

**TDCJ - INSTITUTIONAL DIVISION  
OFFICIAL PASS**

S-24

Good Only on Authentic and Authorized Signature  
Indicated in "Signature" space below.

Time 7-19-19 8a-12p Date 7-18-19  
(Issued) (Time Allowed)

Admit Doughty, Craig # 2203962  
(Name and TDCJ Number)

To Mailroom (for legal mail)  
- and notice -

Items to be Admitted Ø  
(Give invoice Number and other charge paper data as reference to detail list.)

These papers are part of this pass.

Signature *[Signature]* Title M/R supervisor

Note: NO MERCHANDISE TO BE ADMITTED IN OR OUT WITHOUT PASS

# Ending Mass Incarceration Scitophraia

$$\begin{array}{r}
 21 \\
 2520 \\
 5 \\
 \hline
 12600 \text{ Days}
 \end{array}$$

3650 Days  
10 Years

$$\begin{array}{r}
 11 \\
 3650 \\
 3650 \text{ 30 Years} \\
 3650 \\
 \hline
 10950
 \end{array}$$

$$\begin{array}{r}
 22 \\
 3650 \\
 3650 \\
 3650 \\
 3650 \\
 \hline
 14600
 \end{array}$$

40 Years

$$\begin{array}{r}
 11 \\
 3650 \\
 \times 3 \\
 \hline
 10950
 \end{array}$$

$$12600 =$$

$$\begin{array}{r}
 54 \\
 365 \\
 8 \\
 \hline
 2420
 \end{array}$$

2000  
Days

$$\begin{array}{r}
 222 \\
 3650 \\
 \times 4 \\
 \hline
 14600
 \end{array}$$

---

TDCJ - INSTITUTIONAL DIVISION  
OFFICIAL LAYIN PASS  
ADMINISTRATIVE

EFFECTIVE DATE: 07/18/2019  
FROM-TO TIME: 08:00-12:00 \_\_\_\_\_  
START DATE: 07/18/2019 END DATE: 07/18/2019

ADMIT: 02203962 DOUGHTY, CRAIG  
REASON: MAILROOM/LEGAL HOUSE: S-0248

JOB: CLOTHING CART HANDLER 1ST 08:00-17:00  
EDUC:

COUNTROOM: CUELLAR

TITLE: CLASSIFICATION

---

Lay-in for ~~Legal~~ mail  
Legal  
from Cressin Michel Linton

7-15-19 to 7-18-19

Mississippi  
Government

S-24

NOTIFICATION TO COME BY MAIL ROOM

Real UNIT  
Inmate Name Daugherty, Craig Date 5-3-19  
Inmate No. 2203962

The above named inmate is required to come to the mail room  
5-6-19 8a-12p  
(Date and Time)

regarding the following matter:

- ☐ Questionable Correspondence
- ☐ Questionable Publication
- ☐ Package
- ☒ Legal, Special, or Media Correspondence
- ☐ Other

Inmate's Signature \_\_\_\_\_ Date \_\_\_\_\_

Notifying  
Officer's Signature Sum

Original—Return to unit mail room.

Copy—Give completed copy to inmate.



TDCJ - INSTITUTIONAL DIVISION  
OFFICIAL LAYIN PASS  
ADMINISTRATIVE

EFFECTIVE DATE: 02/26/2020 *o/bm*  
FROM-TO TIME: 08:00-12:00  
START DATE: 02/26/2020 END DATE: 02/26/2020

ADMIT: 02203962 DOUGHTY, CRAIG  
REASON: MAILROOM/LEGAL HOUSE: S-024B

JOB: OFF  
EDUC:

COUNTROOM: CUELLAR

TITLE: CLASSIFICATION

---

*[Signature]*  
2-26-20

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS  
P.O. BOX 1300 JAIL STATION, AUSTIN, TEXAS 78711

STATE OF TEXAS  
PENALTY FOR  
PRIVATE USE

PRESORTED  
FIRST CLASS



U.S. POSTAGE PITNEY BOWES



ZIP 78701 \$ 000.26<sup>8</sup>  
02 1W  
0001401682 AUG 02 2019

7/25/2019

DOUGHTY, CRAIG

Tr. Ct. No. 78393-CR-A

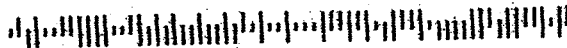
WR-90,182-01

On this day, the application for 11.07 Writ of Habeas Corpus has been received and presented to the Court.

*S-24* Deana Williamson, Clerk

CRAIG DOUGHTY  
NEAL UNIT - TDC # 2203962  
9055 SPUR 591  
AMARILLO, TX 79107

MIWNAB 79107



OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS

P.O. BOX 1300 JAIL STATION, AUSTIN, TEXAS 78711

STATE OF TEXAS  
PENALTY FOR  
PRIVATE USE

PRESORTED  
FIRST CLASS



U.S. POSTAGE PITNEY BOWES



ZIP 78701 \$ 000.26<sup>8</sup>  
02 1W  
0001401603 AUG 16 2019

8/14/2019 DOUGHTY, CRAIG Tr. Ct. No. 78393-CR-A WR-90,182-01

On this day a supplemental clerk's record has been received and presented to the Court.

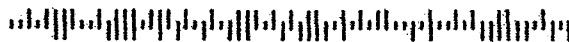
Deana Williamson, Clerk

CRAIG DOUGHTY  
NEAL UNIT - TDC # 2203962  
9055 SPUR 591  
AMARILLO, TX 79107

*S-24*

*Pass*

MIWNAB 79107



OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS

P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711

OFFICIAL BUSINESS

STATE OF TEXAS

PENALTY FOR

PRIVATE USE

U.S. POSTAGE PITNEY BOWES



ZIP 78702 \$ 000.27<sup>0</sup>  
02 4W  
0000372116 MAR 12 2020

3/11/2020

DOUGHTY, CRAIG

Tr. Ct. No. 78393-CR-A

WR-90,182-01

This is to advise that the Court has denied without written order the application for writ of habeas corpus on the findings of the trial court without a hearing and on the Court's independent review of the record.

Deana Williamson, Clerk

CRAIG DOUGHTY  
NEAL UNIT - TDC # 2203962  
9055 SPUR 591  
AMARILLO, TX 79107

S-24

MIWNAB 79107



OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS

P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711

OFFICIAL BUSINESS

STATE OF TEXAS

PENALTY FOR

PRIVATE USE

U.S. POSTAGE PITNEY BOWES



ZIP 78701 \$ 000.27<sup>0</sup>  
02 1W  
0001401603 FEB 21 2020

2/20/2020

DOUGHTY, CRAIG

Tr. Ct. No. 78393-CR-A

WR-90,182-01

On this day, the supplemental clerk's record in response to the order issued by this Court, has been received and presented to the Court.

Deana Williamson, Clerk

2nd notice 2-26-20

CRAIG DOUGHTY  
NEAL UNIT - TDC # 2203962  
9055 SPUR 591  
AMARILLO, TX 79107

S-24

MEBNAB 79107



S-24

NOTIFICATION TO COME BY MAIL ROOM

Inmate Name Deal UNIT \_\_\_\_\_  
Doughty, Craig Date 3-16-20  
Inmate No. 2203962

The above named inmate is required to come to the mail room  
3-17-20 8am-12  
(Date and Time)

regarding the following matter:

- \_\_\_\_\_ Questionable Correspondence
- \_\_\_\_\_ Questionable Publication
- \_\_\_\_\_ Package
- ☒ Legal, Special, or Media Correspondence
- \_\_\_\_\_ Other

Inmate's Signature \_\_\_\_\_ Date 3-17-20

Notifying  
Officer's Signature Man

Original—Return to unit mail room.

Copy—Give completed copy to inmate.

☆I-152 (NF)

I Received A denial from the Court  
of Criminal appeals of Texas in  
the prison mail system 3-17-20  
Writ of habeas Corpus. 11.07

I Sent a writ of habeas Corpus  
11.07 to The Court of Criminal  
appeals of Texas by way of the prison  
mail system. 5-15-19

SUBJECT: State briefly the problem on which you desire assistance.

Hi.

I Sent Legal mail out on the 14th or 15th of  
May a form Called Writ of Habeas Corpus on 11.07

There is a time limit to this form from the day it  
was mailed

Do you have Documentation of this and if so  
Could I have proof of this. Thank You.

Name: Craig Doshier

23962

Unit: REAL

Living Quarters: S-24

Assignment: Laundry

DISPOSITION: (Inmate will not write in this space)

Sent out:

1. Crespin Michael - Houston TX = 5-13-19
2. 412th Dist Court - Angleton = 5-15-19

*Prichard*

TEXAS DEPARTMENT OF CRIMINAL JUSTICE — INSTITUTIONAL DIVISION

**INMATE REQUEST TO OFFICIAL**

REASON FOR REQUEST: (Please check one)

Sent 1107 5-15-2019

**PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Unit Assignment, Transfer (Chairman of Classification, Administration Building)  | 5. <input type="checkbox"/> Visiting List (Asst. Director of classification, Administration Building)   |
| 2. <input type="checkbox"/> Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee)                               | 6. <input type="checkbox"/> Parole requirements and related information (Unit Parole Counselor)   |
| 3. <input type="checkbox"/> Request for Promotion in Class or to Trusty Class (Unit Warden-if approved, will be forwarded to the Director of Classification)               | 7. <input type="checkbox"/> Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainers-Unit Administration) |
| 4. <input checked="" type="checkbox"/> Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757) | 8. <input type="checkbox"/> Personal Interview with a representative of an outside agency (Treatment Division, Administration Building)                         |

TO: Mail Room  
(Name and title of official)

DATE: 5-21-19

ADDRESS: NEAL unit

## EXhibit B

1. Date of Judgment and Conviction June 4 2018

2. Day sent 11.07 writ of habeas Corpus, by way of Prison mail system

May 15 2019

3. Day I received a denial, by way of Prison mail system.

March 17 2020

4. Day I sent 2254 writ of habeas Corpus, by way of Prison mail system

March 24 2020

When Calculated the time is just under a year.

AS You Can See it took some time go through the State Court for the 11.07

also the Court reporter stalled me on getting transcripts I needed for the 11.07.

Craig Dougherty 3-24-20

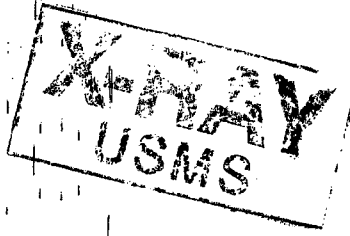
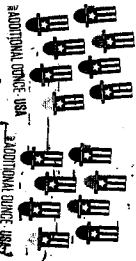


To Clerk.

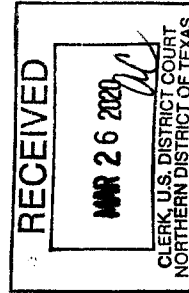
This is my 2254 writ  
Could you file this to the  
Court in a proper manner.  
This is the best I could do  
being Pro-se and Indigent.

Thank You.

Craig Doughty # 2203962  
9055 Spur 591  
Amarillo, TX. 79107



UNITED STATES DISTRICT COURT  
NORTHER DISTRICT OF TEXAS  
205 SE 5TH AVE. ROOM 133  
AMARILLO, TEXAS, 79101



LEGAL MAIL